

**COMMISSIONER'S BULLETINS
BOSTON INSPECTIONAL SERVICES**

YEAR 1985

Number: 85-1

Date: Sept. 25, 1985

Subject:

CONSTRUCTION OF BASEMENT APARTMENTS

Determination:

This is to make clear the Department's policy with respect to permits for the construction of basement apartments.

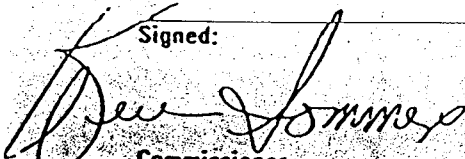
1. Effective immediately all plans and all approvals for basement apartments must meet specific code requirements as follows:
 - a. Definition of a basement apartment and a story as found in Article 2, Section 200 of the Massachusetts State Building Code, to wit:

Basement: That portion of a building which is partly below and partly above grade and having at least one-half ($\frac{1}{2}$) its height above grade.

Story: The lowermost story entirely above the grade plane.
 - b. Building Code 780 CMR, Chapter 802, Article 8, Section 872 with respect to waterproofing and floor proofing.
 - c. State Sanitary Code Requirements, Chapter 105, C.M.R. 410, regulation 402 (Grade Level), to wit:

No room or area in a dwelling may be used for habitation if more than one-half of its floor-to-ceiling height is below the average grade of the adjoining grade and is subject to chronic dampness.

Signed:



Commissioner
Inspectional Services

d. Massachusetts State Building Code, Section 872.4 and 872.4.1 with regard to wood framing for basement partitions, to wit:

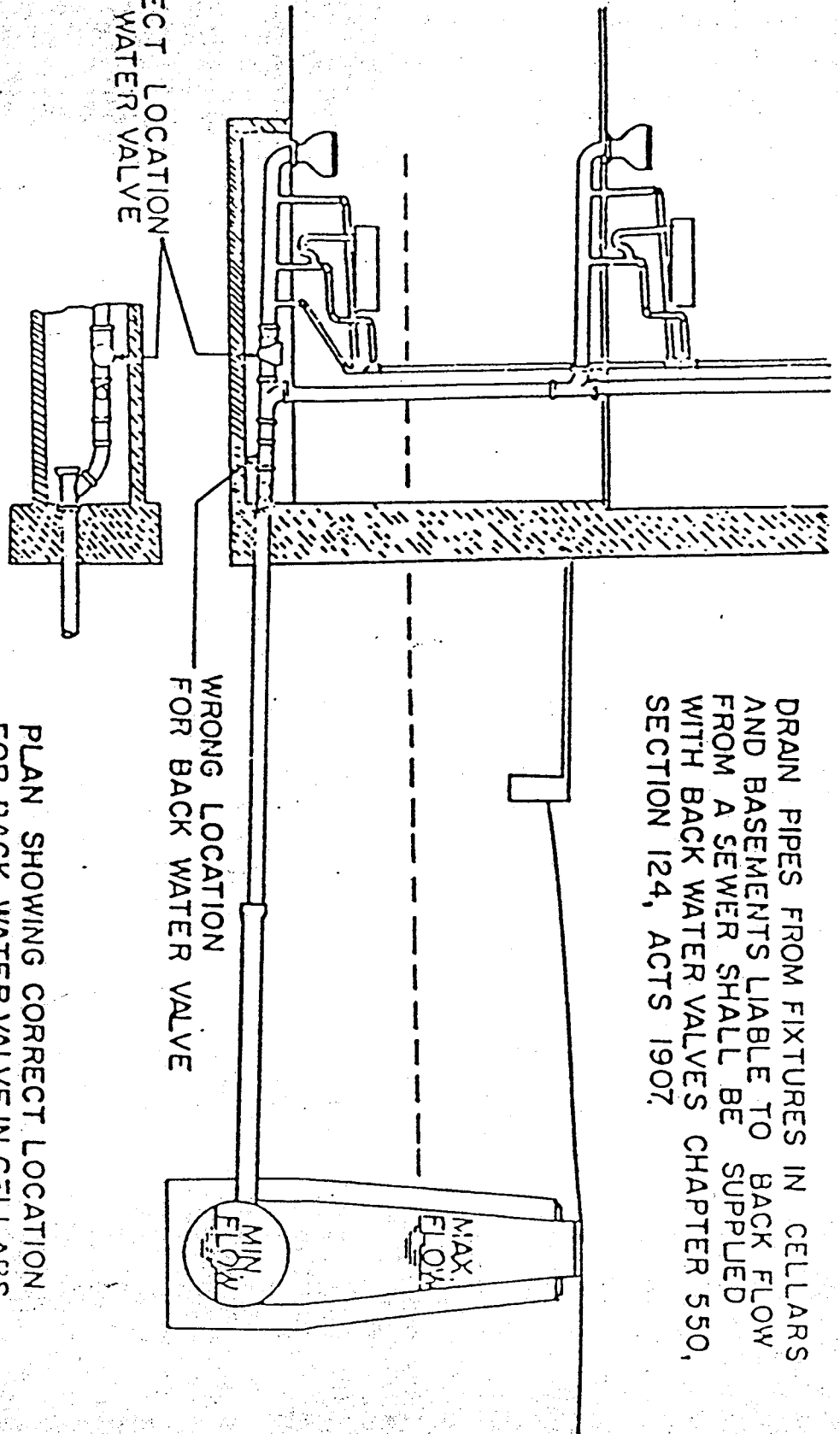
1. The floor member shall be free and clear of knots and shall be pressure treated.
2. One half inches by three quarter inches kerfs shall be run on the bottom of the "shoe" across the grain every 24 inches as a weep or vent.

2. STATE PLUMBING CODE REQUIREMENTS

248 CMR, Section 2.09(4) A backwater valve shall be installed in a branch of the building drain which receives the discharge from a fixture or group of fixtures that in the opinion of the Inspector of Plumbing is subject to reverse front or back pressure. All fixtures that are more than two feet below the grade of the street under which the main sewer serving the building is located shall be considered subject to reverse flow or backpressure. All backwater valves shall be located as shown in the attached diagram.

3. In certain cases the Department may accept an affidavit signed by both the owner and the licensed builder or the licensed architect that all the above conditions have been met.
4. When the permit is issued for construction which includes basement apartments or rooms used for habitation, the permit shall so state the conditions. Any affidavits and certificates of warranty required per this bulletin shall be attached to the permit.
5. Use of the affidavit and the required certification shall be solely at the discretion of the Commissioner of Inspectional Services.

DRAIN PIPES FROM FIXTURES IN CELLARS
AND BASEMENTS LIABLE TO BACK FLOW
FROM A SEWER SHALL BE SUPPLIED
WITH BACK WATER VALVES CHAPTER 550,
SECTION 124, ACTS 1907.



PLAN SHOWING CORRECT LOCATION
FOR BACK WATER VALVE IN CELLARS